



**BellSouth Telecommunications, Inc.**

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April 19, 2006

The Honorable Charles Terreni  
Chief Clerk of the Commission  
Public Service Commission of South Carolina  
Post Office Drawer 11649  
Columbia, South Carolina 29211

Re: BellSouth Telecommunications, Inc. Transit Traffic Tariff 2005-50  
Docket No. 2005-63-C

Dear Mr. Terreni:

Enclosed for filing are the original and one copy of BellSouth Telecommunications, Inc.'s ("BellSouth's") Response to SCTC's Petition for Reconsideration in the above-referenced matter. This document is an exact duplicate of the e-filed copy submitted to the Commission in accordance with its electronic filing instructions.

By copy of this letter, I am serving all parties of record with a copy of this response as indicated on the attached Certificate of Service.

Sincerely,

A handwritten signature in black ink that reads "Patrick W. Turner". The signature is written in a cursive, flowing style.

Patrick W. Turner

PWT/nml

Enclosure

cc: All Parties of Record

DM5 #630802

**BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA**

**DOCKET NO. 2005-63-C**

In Re: )  
 )  
BellSouth Telecommunications, Inc. )  
Transit Traffic Service Tariff )  
\_\_\_\_\_ )

**BELLSOUTH'S RESPONSE TO SCTC'S PETITION FOR RECONSIDERATION**

BellSouth Telecommunications, Inc. ("BellSouth") respectfully submits its Response to the Petition for Reconsideration of Order No. 2006-199 filed by the South Carolina Telephone Coalition ("SCTC") on April 10, 2006.

**A. The Commission's Order is Final as it Relates to All Complaints Other than the SCTC Complaint.**

The SCTC's Petition for Reconsideration of Order No. 2006-199 ("SCTC's Petition") only addresses the SCTC's Petition to Intervene and Request to Suspend Tariff Filing Pending Investigation and Resolution of Intercarrier Arrangement and Compensation Issues ("SCTC Complaint"). No party has petitioned the Commission to reconsider its Order as it applies to any complaint filed by any other party to this docket, and the time for filing any such petition has now expired.<sup>1</sup> Accordingly, the Commission's Order is now final as it relates to the dismissal of all complaints other than the SCTC Complaint.<sup>2</sup>

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<sup>1</sup> See S.C. Code Ann. §58-9-1200 (petitions for rehearing or reconsideration must be filed within ten days after service of notice of the entry of the order).

<sup>2</sup> See *Id.*, §58-9-1410 ("no cause of action shall accrue to vacate or set aside, either in whole or in part, any order of the Commission except an order on rehearing, unless a

**B. The Commission Should Schedule a Hearing on the SCTC's Complaint as Quickly as Possible.**

BellSouth initiated discussions about transit traffic with representatives from some of SCTC's members nearly two years ago, in July 2004.<sup>3</sup> When several months of negotiations did not yield a resolution, BellSouth advised the SCTC's members of its intent to file its transit tariff.<sup>4</sup> This led to additional negotiations that yielded some progress, but a resolution still was not reached and, therefore, BellSouth filed its tariff on February 2, 2005.<sup>5</sup> BellSouth continued to negotiate with the SCTC's members, but no resolution was reached as of the May 16, 2005 deadline for filing testimony in this docket.<sup>6</sup> As the hearing date approached, however, BellSouth and the SCTC made significant progress in negotiations, resulting in the signing of a Term Sheet that sets forth the terms of an agreement in principle.<sup>7</sup>

In the eight months since the Term Sheet was signed, representatives of BellSouth and the SCTC have participated in a number of conference calls to work out the details of the agreement. Just two weeks ago, representatives from BellSouth and the SCTC participated in a face-to-face meeting in Columbia, South Carolina. As the SCTC notes in its Petition, "the parties fully expect to resolve the final details" of the agreement in the near future," but that has not happened yet.<sup>8</sup>

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petition to the Commission for a rehearing has been filed and refused or deemed refused because of the Commission's failure to act thereon within twenty days.").

<sup>3</sup> See McCallen Direct Testimony at p. 3.

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> See SCTC Petition at p.2, ¶¶ 2, 3.

<sup>8</sup> *Id.* at p. 3, ¶5.

Therefore, in order to facilitate a speedy resolution of matters that BellSouth and the SCTC have been negotiating for nearly two years, BellSouth respectfully requests that the Commission deny the SCTC's request to hold the SCTC Complaint in abeyance "until such time as the parties have reached a final agreement."<sup>9</sup> Instead, BellSouth respectfully requests that the Commission address the SCTC's Petition by setting a hearing on the SCTC's Complaint within 30 days, or as soon thereafter as possible. If the Parties are able to resolve the final details of the agreement as they anticipate, they can inform the Commission of that resolution and the hearing can be cancelled. Otherwise, the Commission can bring this matter to a conclusion by ruling on the SCTC's Complaint after the hearing.

Respectfully submitted, this 19<sup>th</sup> day of April 2006.

**BELLSOUTH TELECOMMUNICATIONS, INC.**



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<sup>9</sup> See *Id.* at pp. 3-4, ¶7.

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF RICHLAND )

# CERTIFICATE OF SERVICE

The undersigned, Nyla M. Laney, hereby certifies that she is employed by the Legal Department for BellSouth Telecommunications, Inc. ("BellSouth") and that she has caused BellSouth's Response to SCTC's Petition for Reconsideration in Docket No. 2005-63-C to be served upon the following this April 19, 2006:

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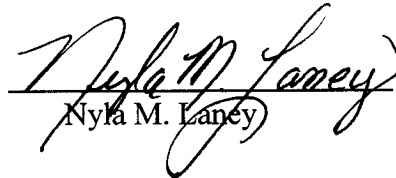
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